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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

**

LANDON AMINI, an individual,

Plaintiff,

vs.

CSAA GENERAL INSURANCE COMPANY,
DOES I-V, and ROE CORPORATIONS I-V,
inclusive,

Defendants.

Case No.: 2:15-cv-00402-JAD-PAL

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES
(First Request)

COME NOW, Plaintiff, LANDON AMINI, by and through his attorneys of record, Preston Rezaee of The Firm, P.C. and David Sampson of The Law Office of David Sampson, LLC, and Defendant, CSAA GENERAL INSURANCE COMPANY, by and through its attorneys of record, Nathan R. Reinmiller, Esq. and Sabrina G. Wibicki, Esq. of the law firm Alverson, Taylor, Mortensen & Sanders, and hereby submit this Stipulation and Order to Extend Discovery Deadlines (First Request).

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GOOD CAUSE EXISTS TO EXTEND DISCOVERY

Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 26-1(d), David Sampson, Esq., of the Law Office of David Sampson, LLC, attorney for Plaintiff, and Sabrina G. Wibicki, Esq., of Alverson, Taylor, Mortensen & Sanders, attorney for Defendant, attended the required meet and confer on May 12, 2015. During said meet and confer, the parties agreed to make initial disclosures on or before May 26, 2015, and filed a proposed Joint Discovery Plan and Scheduling Order setting forth the relevant deadlines.

On May 29, 2015, the Court signed and entered a Scheduling Order (ECF #17), as follows:

1. Last date to amend pleadings and add parties: August 11, 2015
2. Last date to file interim status report: September 10, 2015
3. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): September 10, 2015
4. Last date to disclose rebuttal experts: October 12, 2015
5. Last date to complete discovery: November 9, 2015
6. Last date to file dispositive motions: December 9, 2015
7. Last date to file joint pretrial order: January 8, 2016.¹

Thereafter, Defendant timely served Plaintiff with CSAA General Insurance Company's Initial Disclosure Pursuant to Rule 26(a)(1) on May 26, 2015.

Good cause exists in this case to continue discovery as Plaintiff did not serve his initial disclosures until August 19, 2015. Plaintiff's Initial Disclosure contains thirty eight (38) witnesses, thirty two (32) of whom are identified as non-retained treating physician experts.

...

¹ In the event dispositive motions were filed, the parties agreed that the date for filing the joint pretrial order would be suspended until 30 days after a decision on the dispositive motions.

Notwithstanding the tardiness of Plaintiff's Initial Disclosures, Defendant attempted to move forward with discovery by serving written discovery, issuing subpoenas for relevant records, setting witness Kristin Trueman's deposition, and attempting to obtain authorizations for the release of Plaintiff's health, employment and tax information. However, because there are still outstanding records to be obtained, Defendant has not been able to provide its experts with all of the pertinent information in order to issue a timely expert disclosure/report on September 10, 2015. Thus, the parties request to continue the current discovery deadlines in this matter by sixty (60) days in order to effectively litigate the instant case, and to obtain all necessary information, documents, and testimony.

DISCOVERY COMPLETED TO-DATE

1. Defendant timely made/served its 26(f) Disclosures on May 26, 2015, while Plaintiff served his Initial Disclosures on August 19, 2015.

2. Defendant propounded Interrogatories and Requests for Production of Documents to Plaintiff on August 10, 2015.

3. Kristin Trueman's deposition was previously scheduled for August 27, 2015, but had to be vacated due to the inability to serve said witness with a subpoena.

4. Defendant has subpoenaed records from:

- a. Accident Lending Group, LLC
- b. Aria Resort & Casino, LLC
- c. Bellagio, LLC
- d. Boyd Gaming
- e. Caesars Entertainment Corporation
- f. Las Vegas Athletic Club
- g. Las Vegas Metropolitan Police Department
- h. Mandalay Corp.
- i. MGM Grand Hotel, LLC
- j. MGM Resorts International
- k. Monte Carlo Resort and Casino
- l. Nevada Highway Patrol
- m. Quality Towing
- n. Station Casinos

- o. Vdara Condo Hotel, LLC
- p. Venetian Casino Resort, LLC
- q. Wynn Resorts Holdings, LLC

DISCOVERY REMAINING

The remaining discovery to be conducted in this matter is as follows:

1. Deposition of Plaintiff Landon Amini.
2. Deposition of Kristin Trueman.
3. Plaintiff's treating physicians, to be determined given Plaintiff's identification of these thirty-two (32) witnesses as "experts."
4. Other witnesses that may be identified in the above depositions and/or additional disclosure of documents.
5. The parties may also need to conduct further written discovery based upon the receipt of the above testimony and/or disclosure of documents.
6. The parties may also need to prepare further subpoenas based upon the receipt of the above testimony and/or disclosure of documents.
7. The retention of appropriate experts.

THE REASONS WHY AN EXTENSION OF DISCOVERY IS NECESSARY

While Defendant has been diligent in conducting discovery, the issue with Plaintiff's Initial Disclosures has prevented the parties from completing meaningful discovery. As such, the parties wish to continue discovery by sixty (60) days in an effort to obtain all necessary information, documents, and testimony.

PROPOSED SCHEDULE

The parties propose the following new deadlines:

- Last date to file Interim Status Report: **November 9, 2015**
- Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): **November 9,**

2015

- Last date to disclose rebuttal experts: **December 11, 2015**
- Last date to complete discovery: **January 8, 2016**
- Last date to file dispositive motions: **February 5, 2016**
- Last date to file joint pretrial order: **March 9, 2016**. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after a decision on the dispositive motions.

THE FOREGOING IS HEREBY STIPULATED AND AGREED

DATED this 3rd day of September, 2015.

DATED this 3rd day of September, 2015.

THE FIRM, P.C.

ALVERSON, TAYLOR, MORTENSEN & SANDERS

/s/ Preston Rezaee

/s/ Sabrina Wibicki

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DATED this 3rd day of September, 2015.

THE LAW OFFICE OF DAVID SAMPSON

/s/ David Sampson

IT IS SO ORDERED this 21st day
of September, 2015.

DAVID F. SAMPSON, ESQ.
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Attorney for Plaintiff


Peggy A. Leen
United States Magistrate Judge

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